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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/780,554	02/19/2004	Stephen McConnell Gates	20140-00318-US	20140-00318-US 1709	
30678	7590 10/20/2005		EXAM	EXAMINER	
CONNOLLY BOVE LODGE & HUTZ LLP			WILLIAMS, AI	WILLIAMS, ALEXANDER O	
SUITE 800 1990 M STREET NW			ART UNIT	PAPER NUMBER	
WASHINGTON, DC 20036-3425			2826		

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

1) Responsive to communication(s) filed on <u>09 September 2005</u> . 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 \(\text{Claim(s)} \) \(\frac{1.32}{23}\) is/are pending in the application. 4a) Of the above claim(s) \(\frac{12-33}{23}\) is/are withdrawn from consideration. 5 \(\text{Claim(s)} \) \(\text{is/are allowed.}\) 6 \(\text{Claim(s)} \) \(\text{is/are rejected.}\) 7 \(\text{Claim(s)} \) \(\text{is/are rejected.}\) 7 \(\text{Claim(s)} \) \(\text{is/are subject to restriction and/or election requirement.}\) Application Papers 9 \(\text{The drawing(s) filed on \(\text{is/are.}\) is/are: a)\(\text{accepted or b}\)\(\text{occepted to by the Examiner.}\) Application Papers 9 \(\text{The drawing(s) filed on \(\text{is/are.}\) is/are: a)\(\text{accepted or b}\)\(\text{occepted of by the Examiner.}\) Application Papers 9 \(\text{The drawing(s) filed on \(\text{is/are.}\) is/are: a)\(\text{accepted or b}\)\(\text{occepted or b}\)\(\text{objected to See 37 CFR 1.85(a).}\) Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)\(\text{The other of celeration is objected to by the Examiner.}\) Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)\(\text{Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)\(\text{All b}\)\(\text{All b}\)\(\text{Bernous of the priority documents have been received.}\) 2\(Acknowledgment is made of the priority documents have been received in Application No. \(\text{		Application No.	Applicant/a					
## Examiner Art Unit Alexander O. Williams 2828 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the population of 3°C PR 1.138(a), In no event, however, may a regly be simely file of the communication of the provision of the above claim(s) 12-33 is/are pending in the application. 4) Claim(s)		Application No.	•					
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DETAILED ACTION

Applicant's election of Group I (claims 1 to 11), filed 9/9/05, has been acknowledged.

This application contains claims 12 to 33 drawn to an invention non-elected without traverse.

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention: Any one species in figure 1-4.

Species I, figure 1

Species II, figure 2

Species III, figure 3

Species IV, figure 4

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include

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all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander O. Williams whose telephone number is (571) 272 1924. The examiner can normally be reached on M-F 6:30AM-7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272 1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alexander O Williams Primary Examiner Art Unit 2826

AOW 10/15/05